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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN ADENA, Deceased, by and through his Co-
Successors in Interest, CIRCE ADENA and
RICHARD ADENA; CIRCE ADENA, Individually,
and RICHARD ADENA, Individually,

Plaintiffs,

vs.

SHASTA COUNTY, a public entity; SHASTA
COUNTY SHERIFF-CORONER TOM BOSENKO,
in his individual capacity; CAPTAIN DAVE KENT;
SHASTA COUNTY JAIL DEPUTIES KIRK
SCHRITTER, DEVIN HURTE, DEPUTY DIAZ,
EMMANUEL ALCAZAR, ZACHARY
JURKIEWICZ, JOSEPH GRADY, NATHANIAL
NEVES, HECTOR CORTEZ; WELLPATH INC., a
Delaware corporation; WELLPATH
MANAGEMENT, INC., a Delaware Corporation;
WELLPATH LLC, a Delaware Limited Liability
Company; TRACY LEWIS, L.M.F.T.; PAM
JOHANSEN, L.C.S.W.; DANIEL DELLWO, P.A.;
and DOES 1–20; individually, jointly and severally,

Defendants.

Case No. 2:21-cv-00770-MCE-DMC

**STIPULATION AND
(PROPOSED) ORDER TO
MODIFY THE INITIAL
PRETRIAL SCHEDULING
ORDER (Doc. 6)**

Pursuant to the Court's instructions on August 10, 2021, after the parties filed their Joint Discovery Plan (ECF No. 16), the parties hereby stipulate and agree to modify the Scheduling Order in this matter (ECF No. 6), as follows:

1. This is a complicated wrongful death civil rights case involving Shasta County jail personnel and Wellpath correctional health care personnel. The case involves seventeen named Defendants represented by two separate law firms. The parties are represented by experienced counsel who have worked together before, sometimes on many cases, and counsel have worked cooperatively throughout the litigation they have handled together.

2. Plaintiffs have proposed conducting focused, initial discovery and engaging in early settlement efforts before fully completing discovery, which the parties anticipate would involve exchanging voluminous written discovery before focused depositions. The proposed modifications will allow the parties to accommodate the schedules of all parties and deponents, complete focused discovery, engage in thorough settlement negotiations, and complete the remaining voluminous discovery if early settlement efforts are not successful.

3. The parties therefor stipulate to a brief extension of the dates in this matter. The modification of the briefing schedule, as requested in the parties' Joint Discovery Plan (ECF No. 16), would move dates as follows:

| <u>Event</u> | <u>Current Date</u> | <u>New Date</u> |
|------------------------------------|---------------------|------------------|
| Close of Fact Discovery | July 12, 2022 | October 12, 2022 |
| Expert Disclosures due | September 10, 2022 | December 9, 2022 |
| Rebuttal Expert Disclosures | October 10, 2022 | January 6, 2023 |
| Dispositive Motion filing deadline | January 8, 2023 | February 3, 2023 |

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|-------------|---|------------------|--------------|
| 1 2 3 | Joint Notice of Trial Readiness (if no dispositive motions filed) | November 9, 2022 | May 26, 2023 |
|-------------|---|------------------|--------------|

4 For the foregoing reasons, the parties respectfully request that this Court enter an order
5 extending the briefing schedule in this case as set forth above, and pursuant to the parties' Joint
6 Discovery Plan.

7 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
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9

10 Dated: August 18, 2021

HADDAD & SHERWIN LLP

11
12 */s/ Teresa Allen*

13 _____
14 TERESA ALLEN
Attorneys for Plaintiffs

15 Dated: August 18, 2021

BRICKWOOD LAW OFFICE

16
17 */s/ Gary Brickwood*

18 _____
19 GARY BRICKWOOD
Attorneys for Defendants
SHASTA COUNTY; SHERIFF-CORONER TOM
20 BOSENKO; SHASTA COUNTY JAIL CAPTAIN
DAVE KENT; DEPUTIES KIRK SCHRITTER,
21 DEVIN HURTE, OMAR DIAZ, EMMANUEL
ALCAZAR, ZACHARY JURKIEWICZ, JOSEPH
22 GRADY, NATHANIAL NEVES, and HECTOR
CORTEZ

1 Dated: August 18, 2021

THE LAW OFFICES OF JEROME VARANINI

2 */s/ Jerome M. Varanini*

3 JEROME M. VARANINI


Attorneys for Defendants

4 WELLPATH INC.; WELLPATH MANAGEMENT,
INC.; WELLPATH LLC; TRACY LEWIS, L.M.F.T.;
5 PAM JOHANSEN, L.C.S.W.; and DANIEL
6 DELLWO, P.A.

7
8
9 **ORDER**

10 IT IS SO ORDERED.

11 Dated: August 27, 2021

12 
13 MORRISON C. ENGLAND, JR.
14 SENIOR UNITED STATES DISTRICT JUDGE